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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,259	01/21/2004	Kia Silverbrook	RRA24US	1046
24011	7590	04/18/2006	EXAMINER	
SILVERBROOK RESEARCH PTY LTD 393 DARLING STREET BALMAIN, NSW 2041 AUSTRALIA			GARCIA JR, RENE	
			ART UNIT	PAPER NUMBER
			2853	

DATE MAILED: 04/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/760,259	Applicant(s) SILVERBROOK, KIA	
	Examiner Rene Garcia, Jr.	Art Unit 2853	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) 2,3 and 10-12 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 4-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claim 8 is objected to because of the following informalities: Line 5, "one or springs" grammar improper. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 5-7 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Carrese et al. (US 6,390,615).

Carrese et al. discloses the following claimed limitations:

*regarding claims 1 and 9, inkjet printer cradle/**ink tank support structure, 100/** (col. 4, lines 21-22; figs. 1, 3-5)

*body defining a recess dimensioned to locate a removable inkjet cartridge/**ink tank, 200/** (col. 4, lines 30-32; fig.3)

*retainer/**retainer portion, 134/** (col. 5, lines 41-65; fig. 1, 3-5) arranged to retain said inkjet cartridge/**200/** within the recess

*one or more resilient members/**156/** (col. 4, lines 52-63; figs 1 & 2; see also col. 2, lines 5-11, lines 34-40, lines 55-59 and figs. 9-16, and 21)

*regarding claims 5 and 9, retainer/**134/** includes a latch/**132/** (col. 5, lines 41-65; figs. 1, 3-5)

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*regarding claim 6, one or more resilient members/**156/** comprise one or more springs (col. 4, lines 52-59)

*regarding claim 7, recess includes a shelf/**first surface, 102/** (col. 4, lines 24-32; fig. 1; col. 3, lines 1-3) upon which the one or more resilient member are positioned

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carrese et al. (US 6,390,615) in view of Watanabe et al. (US 2002/0118263).

Carrese et al. discloses the following claimed limitations:

*regarding claims 8, inkjet printer cradle/**ink tank structure, 100/** (col. 4, lines 21-22; figs. 1, 3-5) including:

*body defining a recess having a shelf/**first surface, 102/** (col. 4, lines 24-32; fig. 1; col. 3, lines 1-3) and dimensioned to located a removable inkjet cartridge/**ink tank, 200/** (fig. 3; col. 4, lines 30-32)

*latch/**132/** (col. 5, lines 41-65; figs. 1, 3-5)

*one spring/**156/** (col. 4, lines 52-59; col. 4, lines 52-63; figs 1 & 2) positioned on the shelf/**102/** and arranged to bias said inkjet cartridge/**200/** against the latch/**132/** in use

In regards to claim objection to grammar of claim 8, line 5: examiner has interpreted the limitation as one spring.

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Carrese et al. does not disclose the following claimed limitations:

*regarding claims 4 and 8, removable inkjet cartridge is of a type having a pagewidth printhead

Watanabe et al. discloses the following:

*regarding claims 4 and 8, removable inkjet cartridge/3/ (fig. 12A) is of a type having a pagewidth printhead (paragraph 0053) for the purpose of using a nozzle array arranged over the entire width wise direction of recording medium

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to utilize a pagewidth printhead as taught by Watanabe et al. into Carrese et al. for the purpose of using a nozzle array arranged over the entire width wise direction of recording medium.

Response to Arguments

6. Applicant's arguments with respect to claims 1, 8 and 9 have been considered but are moot in view of the new ground(s) of rejection. Carrese et al. includes a latch, spring, cradle and retainer for an inkjet cartridge as stated in rejection above.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Gasuoda et al. (US 5,949,459) includes print chassis/cradle/, replaceable ink container, springs for urging container opposite direction of insertion and retaining member. Komplin et al. (US 6,199,977) includes a cartridge body cavity, spring urging member and latch member.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

9. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


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Communications with the USPTO

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rene Garcia, Jr. whose telephone number is (571) 272-5980. The examiner can normally be reached on M-F 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D. Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Rene Garcia Jr
13 April 2006


K. FEGGIN
PRIMARY EXAMINER